

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

GIDDENS INDUSTRIES, INC. d/b/a
CADENCE AEROSPACE

Employer

and

Case 19-RC-150145

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
WORKERS DISTRICT LODGE 751

Petitioner

STIPULATION RESOLVING CHALLENGED BALLOTS AND OBJECTIONS

It is hereby stipulated and agreed by and between Giddens Industries, Inc., d/b/a Cadence Aerospace (Employer) and International Association of Machinists and Aerospace Workers, District Lodge 751 (Petitioner), subject to the approval of the Regional Director for Region 19 that:

1. On May 14 and May 15, 2015, the Board held a secret ballot election in accordance with the terms of a Stipulated Election Agreement approved by the Regional Director on April 23, 2015. The Employer and Petitioner were initially unable to agree as to whether the classifications of Inspector, Inspector Lead, Document Control Clerk, Programmer and Driver should be included in the bargaining unit. As such, they agreed that employees in those classifications could vote in the election subject to challenge.
2. The Tally of Ballots prepared by the Board Agent at the end of the election indicates that 97 valid ballots were cast in favor of Petitioner and 73 valid ballots were cast against the Petitioner, with 25 determinative challenges.
3. The ballots of Victor Santana, Clinton Wahl, Mike Boersema, Phillip Watson, Bruce Eldridge, James Frauenholz, Erik Kirkland, Gordy Beyer, Walter Molina, Christine Smith, Steve Slosson, Mike Simon, Chris Evans and Joshua Kulp were challenged on the grounds that they were Inspectors. The ballot of Gary Naple was challenged on the grounds that he is an Inspector Lead. The ballots of

Christopher Coursey, Mike McCormick, Desiree Lopez and Susan Graham were challenged on the grounds that they were Document Control Clerks. The ballots of Tony Pracht, Loren Mathiasen, Aleksey Kochubey were challenged on the grounds that they are Programmers while the ballot of Bubba Willis was challenged on the grounds that he is a driver.

4. The Employer challenged the ballot of Jacob Beach on the basis that he quit prior to the election, while the Board Agent challenged the ballot of Melissa Schneyder on the basis that her name did not appear on the list of eligible voters.
5. On May 22, 2015, the Employer filed four (4) objections to conduct affecting the result of the election.
6. Desiring to resolve this matter, the Parties stipulate and agree that the Driver, Inspector and Inspector Lead positions are appropriately included within the bargaining unit as they are production and maintenance employees who share a community of interest with other bargaining unit employees. As such, the Parties agree and stipulate that the ballots cast by Bubba Willis, Victor Santana, Clinton Wahl, Mike Boersema, Bruce Eldridge, James Frauenholz, Erik Kirkland, Gordy Beyer, Walter Molina, Christine Smith, Steve Slosson, Chris Evans, Joshua Kulp, Mike McCormick¹ and Gary Naple are eligible to vote in the election.
7. The Parties further stipulate and agree that the classification of Programmer should not be included in the bargaining unit as the Programmers are not production and maintenance positions and do not share a community of interest with the other bargaining unit employees. Accordingly, the Parties stipulate and agree that the ballots cast by Phillip Watson, Mike Simon, Tony Pracht, Loren Mathiasen and Aleksey Kochubey should not be counted.²
8. It is further agreed that, upon the approval of this agreement by the Regional Director, the ballots of Bubba Willis, Victor Santana, Clinton Wahl, Mike Boersema, Bruce Eldridge, James Frauenholz, Erik Kirkland, Gordy Beyer, Walter Molina, Christine Smith, Steve Slosson, Chris Evans, Joshua Kulp, Mike McCormick and Gary Naple will be opened and counted at the National Labor Relations Board Region 19 office on May 28, 2015 at 3:00 p.m. and a Revised Tally of Ballots will issue.
9. The Parties are unable to agree at this time on the eligibility of Jacob Beach and Melissa Schneyder. The Parties are also unable to agree at this time as to the

¹ While the ballot of Mike McCormick was challenged on the grounds that he is a Document Control Clerk, the Parties agree that he is actually employed as an Inspector and, as such, is in a position included within the bargaining unit.

² While the ballots cast by Phillip Watson and Mike Simon were challenged on the grounds that they were Inspectors, the Parties agree that they are actually employed as CMM Programmers and, as such, are not in positions included within the bargaining unit and were thus ineligible to vote. The parties further agree that Lee Day was erroneously included on the voter eligibility list and is not currently employed in a bargaining unit position.

eligibility of the Document Control Clerks, including Christopher Coursey, Desiree Lopez and Susan Graham. As such, their ballots shall remain challenged. In the event that their ballots are determinative of the outcome of the election, the procedures outlined in the Stipulated Election Agreement will apply.

10. Based on the above stipulations, the parties agree that the appropriate bargaining unit is:³

INCLUDED: All full time and regular part-time production and maintenance employees, including Assemblers, Assembly-Leads, Bracket Cell Operator Leads, Bracket Cell Operators, Cell Coordinators, CNC Machine Operators, CNC Machine Operator Leads, CNC Technicians, Deburr Operator Leads, Deburr Operators, Drivers, Hone Operators, Inspector Leads, Inspectors, Maintenance Mechanics, Parts Movers, Receiving Clerks, Sheet Metal Mechanics, Sheet Metal Mechanic Leads, Shipping/Receiving Clerks, Tool Crib Attendants, Toolmakers, and Welders.

EXCLUDED: All other employees, including Manufacturing Engineers, Master Schedulers, Planners, Planner-CAD Drafters, Production Control Administration, Production Control Supervisors, Production Administration, Programmers, Quality Clerks, Quality Engineers, Schedulers, Scheduling Administration, office clerical employees, professional employees, and guards, confidential employees, and supervisors as defined in the Act.

11. The Parties further stipulate and agree that, with respect to the challenged ballots outlined above they have agreed to resolve, they waive their rights to a hearing, on challenges, to a Report on Challenged Ballots, to file exceptions to such Report and to a Board decision on the above-described eligibility issues. The parties further waive their right to file any objections to the conduct of the election based upon this resolution of the determinative challenged ballots.
12. Upon approval of this Stipulation Resolving Challenged Ballots by the Regional Director, the Employer withdraws the four (4) objections it filed on May 22, 2015.

³ As noted above, the Parties are unable to agree as to whether the Document Control Clerks are appropriately included in the unit.

GIDDENS INDUSTRIES, INC. d/b/a
CADENCE AEROSPACE

BY: Is/ Kelsey Sheldon

Dated: 5/28/15

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
EMPLOYEES DISTRICT LODGE 751

BY: Curtis Flann

Dated: 5/28/2015

RECOMMENDED
FOR APPROVAL BY: [Signature]
(Board Agent)

Dated: 5/28/15

APPROVED BY: R K Haul
(Regional Director)

Dated: 5/28/15

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GIDDENS INDUSTRIES, INC. d/b/a
CADENCE AEROSPACE

BY: Betsy M. Spalden

Dated: 5-28-15

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
EMPLOYEES DISTRICT LODGE 751

BY: Is/ Carson Flara

Dated: 5/28/15

RECOMMENDED
FOR APPROVAL BY: lll
(Board Agent)

Dated: 5/28/15

APPROVED BY: R K Houch
(Regional Director)

Dated: 5/28/15